

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

**DEPARTMENT OF
TELECOMMUNICATIONS & ENERGY**

ONE SOUTH STATION

BOSTON, MA 02110
(617) 305-3500

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

BETH LINDSTROM
DIRECTOR
OFFICE OF CONSUMER AFFAIRS
AND BUSINESS REGULATION

PAUL G. AFONSO
CHAIRMAN

JAMES CONNELLY, ESQ.
COMMISSIONER

W. ROBERT KEATING
COMMISSIONER

EUGENE J. SULLIVAN, JR.
COMMISSIONER

DEIRDRE K. MANNING
COMMISSIONER

January 16, 2004

Lawrence G. Malone, Esq.
Steven Buhr, Esq.
Couch White, LLP
540 Broadway, P.O. Box 22222
Albany, NY 12201

Re: D.T.E. 03-60 (Track A)
D.T.E.'s Second Set of Information Requests to Z-Tel Communications, Inc.

Dear Messrs. Malone and Buhr:

Enclosed please find the second set of questions to Z-Tel Communications, Inc. issued by the Department of Telecommunications and Energy in the above-captioned matter. Please submit Z-Tel's response to the Department and the parties in hard copy and by email on or before 5:00 p.m., Tuesday, January 27, 2004. Should you have any questions, please contact me at (617) 305-3608.

Sincerely,

/s/

Paula Foley
Assistant General Counsel

Encs.

cc: D.T.E. 03-60 service list (w/encs.)

INSTRUCTIONS FOR RESPONSES TO INFORMATION REQUESTS OF THE
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Pursuant to 220 C.M.R. § 1.06(6)(c), the Department of Telecommunications and Energy (“Department”) submits to Z-Tel Communications, Inc. the following Information Requests.

Instructions

The following instructions apply to the Information Requests issued to all parties in this proceeding.

1. Each request should be answered in writing on a separate, three-hole punch page with a recitation of the request, a reference to the request number, the docket number and the name of the person responsible for the answer.
2. Do not wait for all answers to be completed before supplying answers. Provide the answers as they are completed.
3. These requests shall be deemed continuing so as to require further supplemental responses if the petitioner or its witness receives or generates additional information within the scope of these requests between the time of the original response and the close of the record in this proceeding.
4. The term “provide complete and detailed documentation” means:

Provide all data, assumptions, and calculations relied upon. Provide the source of and basis for all data and assumptions employed. Include all studies, reports and planning documents from which data, estimates or assumptions were drawn and support for how the data or assumptions were used in developing the projections or estimates. Provide and explain all supporting workpapers.
5. The term “document” is used in the broadest sense and includes, without limitation, writings, drawings, graphs, charts, photographs, phono-records, microfilm, microfiche, computer printouts, correspondence, handwritten notes, records or reports, bills, checks, articles from journals or other sources and other data compilations from which information can be obtained and all copies of such documents that bear notations or other markings that differentiate such copies from the original.
6. If any one of these requests is ambiguous, notify the Hearing Officer so that the request may be clarified prior to the preparation of a written response.
7. Please serve a copy of the responses on Mary Cottrell, Secretary of the Department, and on all Department staff and parties; and submit two (2) copies of the responses to Paula Foley, Hearing Officer.

QUESTION TO Z-TEL COMMUNICATIONS, INC.

D.T.E. 03-60 (Track A)

January 16, 2004

1. Please refer to Z-Tel's response to the Department's Information Request No. 14 issued October 9, 2003 to all Massachusetts CLECs. In the response, Z-Tel states that the term "qualifying service" as used in this Information Request, is far broader than the "mass market services" inquiry at issue in this proceeding. Please explain.